

PTO/SB/20 (05-06)

Approved for use through XX/XX/XXXX. OMB 0651-00XX

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	10/600,433	First Named Inventor:	TAKEHIRO YOSHIDA ET AL.
Filing Date:	June 23, 2003	Attorney Docket No.:	03560.003313.
Title of the Invention:	APPARATUS, METHOD AND PROGRAM FOR COMMUNICATION		

**THIS REQUEST FOR PARTICIPATION IN THE PPH PILOT PROGRAM MUST BE FAXED TO:
THE OFFICE OF THE COMMISSIONER FOR PATENTS AT 571-273-0125 DIRECTED TO THE ATTENTION OF MAGDALEN GREENLIEF**

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PILOT PROGRAM.

The above-identified application validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s).

The JPO application number(s) is/are: 2002-193330

The filing date of the JPO application(s) is/are: July 2, 2002

- I. List of Required Documents:**
- a. A copy of all JPO office actions (including "Decision to Grant a Patent") in the above-identified JPO application(s).**
- ☒ Is attached.
- ☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System.
- b. A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s).**
- ☒ Is attached.
- ☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System.
- c. English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached.**
- d. Information disclosure statement listing the documents cited in the JPO office actions is attached.**
- Copies of all documents are attached except for U.S. patents or U.S. patent application publications.

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. FAX COMPLETED FORMS TO: Office of the Commissioner for Patents at 571-273-0125, Attention: Magdalen Greenlief.

**REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM
BETWEEN THE JPO AND THE USPTO**

(continued)

Application No.:	10/600,433	First Named Inventor:	TAKEHIRO YOSHIDA ET AL.
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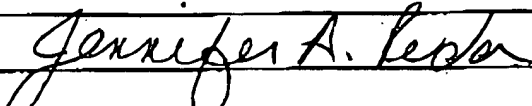
II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JP Application	Explanation regarding the correspondence
1	1	Both claims are the same
2	2	Both claims are the same
3	3	Both claims are the same
4	4	Both claims are the same
5	5	Both claims are the same
6	6	Both claims are the same
7	7	Both claims are the same
8	8	Both claims are the same
9	9	Both claims are the same
10	10	Both claims are the same

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO application.

IV. Payment of Fees:

The Commissioner is hereby authorized to charge the petition fee under 37 CFR 1.17(h) as required by 37 CFR 1.102(d) to ☒ Deposit Account No. 503939.
☐ Credit Card. Credit Card Payment Form (PTO-2038) is attached.

Signature: 	Date: January 8, 2007
Name (Print/Typed) Jennifer A. Reda	Registration Number: 57840

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

FITZPATRICK, CELLA, HARPER & SCINTO

30 Rockefeller Plaza
New York, NY 10112-3801
(212) 218-2100

Facsimile:(212) 218-2200

FACSIMILE COVER SHEET

TO:	Magdalen Greenlief Office of the commissioner for Patents	
FROM:	Jennifer A. Reda	
RE:	CFG 3313 US; Appln. No. 10/600,433	
FAX NO.:	571-273-0125	
DATE:	January 8, 2007	NO. OF PAGES: 102 <small>(including cover page)</small>
TIME:	SENT BY:	

MESSAGE

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 212-218-2100 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

03560.003313

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Edward L. Coles
TAKEHIRO YOSHIDA ET AL.)
: Art Unit: 2625
Application No.: 10/600,433)
: Conf. No.: 3658
Filed: June 23, 2003)
:
For: APPARATUS, METHOD AND)
PROGRAM FOR COMMUNICATION : January 8, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER SUBMITTING PAPERS UNDER PPH PILOT PROGRAM

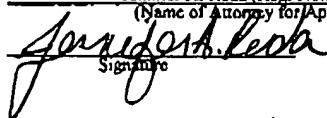
Sir:

Applicants hereby request accelerated examination of the above-identified application under the Patent and Trademark Office's Patent Prosecution Highway (PPH) Pilot Program based on allowed claims of the Japanese application from which the present application claims priority under 35 U.S.C. § 119. Submitted herewith are the following documents for the accelerated examination:

- 1) Request For Participation in PPH Pilot Program (Form PTO/SB/20)
- 2) Decision to Grant a Patent (in Japanese)
- 3) English translation of Decision to Grant a Patent
- 4) Japanese Final (allowed) Claims (in Japanese)
- 5) English translation of Japanese Final (allowed) Claims
- 6) Japanese Notification of Reason for Refusal (in Japanese)
- 7) English translation of Japanese Notification of Reason for Refusal
- 8) Japanese Amendment (in Japanese)
- 9) English translation of Japanese Amendment

I hereby certify that this correspondence is being transmitted by facsimile
to the U.S. Patent and Trademark Office at (571) 273-0123 on
January 8, 2007
(Date of Transmission)

Jennifer A. Reda (Reg. No.: 57840)
(Name of Attorney for Applicant)


Signature

January 8, 2007
Date of Signature

- 10) Japanese Argument (in Japanese)
- 11) English translation of Japanese Argument
- 12) Verification of translations
- 13) Information Disclosure Statement listing the references cited in the Japanese Rejection
- 14) Preliminary Amendment

While it is not believed that a separate Petition to make special is required and that the Request (document 1) fulfills the requirements for such a Petition, should the Office determine that a separate Petition is required, this Letter should be treated as a Petition to make the application special under the Office's PPH Pilot Program. As set forth in the Request, the Petition fee should be charged to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Jennifer A. Reda
Attorney for Applicants
Registration No.: 57,840

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventors: Takehiro YOSHIDA, Hitoshi SAITO

Application No. 10/600,433

Title: APPARATUS, METHOD AND PROGRAM FOR COMMUNICATION

VERIFIED TRANSLATION OF DOCUMENTS CONCERNING JAPANESE PATENT APPLICATION

The undersigned, of the below address, hereby certifies that he/she well knows both the English and Japanese Languages, and that the attached are accurate translations of the documents listed below concerning Japanese Patent Application No. 2002-193330:

Notification of Reason for Refusal

Argument

Amendment

Decision to Grant a Patent

Final Claims

Signed this 29th day of November, 2006

Signature: Akiko Murakami

Name: Akiko MURAKAMI

Address: 43-12, Oyamakanai-cho, Itabashi-ku,
Tokyo 173-0024 Japan

Japanese Patent No. 3652330

[Claims]

[Claim 1]

A communication apparatus having a capability of communication according to the ITU-T recommendation V.17, comprising:

training information storage means for storing training information when long training information is received;

success in reception-of-short-training detection means for detecting success in receiving short training;

high-speed data detection means for detecting high-speed data;

training information setting means for setting the stored training information into a modem;

reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the reception control changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success

in receiving the short training is not detected, the reception control changing means sets the training information, which was stored when the long training information is received, into the modem; and

transmission means for transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 2]

The communication apparatus according to Claim 1, further comprising means for storing the training information when a picture signal is received.

[Claim 3]

The communication apparatus according to Claim 2, further comprising means for storing the training information when the picture signal is received and the short training is successfully received.

[Claim 4]

A communication apparatus comprising:

training execution means for performing long training and short training;

first training information acquisition means for acquiring first training information on the basis of training performed by the execution means;

second training information acquisition means for acquiring second training information on the basis of training performed by the execution means, after the

acquisition of the first training information by the first training information acquisition means;

receiving means for receiving information in accordance with the second training information acquired by the second training information acquisition means;

success-in-training detection means for detecting success in training;

high-speed carrier detection means for detecting a high-speed carrier; and

transmission means for transmitting a CFR signal according to the ITU-T recommendation V.21,

wherein if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected, the receiving means receives the information in accordance with the first training information acquired by the first training information acquisition means without using the second training information.

[Claim 5]

A communication method capable of performing communication in accordance with the ITU-T recommendation V.17, comprising:

a training information storing step of storing training information when long training information is received;

a success in reception-of-short-training detection step

of detecting success in receiving short training;

a high-speed data detection step of detecting high-speed data;

a training information setting step of setting the stored training information into a modem;

a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the long training information is received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and

a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 6]

A communication method comprising:

a training execution step of performing long training and short training;

a first training information acquisition step of

acquiring first training information on the basis of training performed in the execution step;

a second training information acquisition step of acquiring second training information on the basis of training performed in the execution step, after the acquisition of the first training information in the first training information acquisition step;

a receiving step of receiving information in accordance with the second training information acquired in the second training information acquisition step;

a success-in-training detection step of detecting success in training;

a high-speed carrier detection step of detecting a high-speed carrier; and

a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21,

wherein if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected, the information is received in the receiving step in accordance with the first training information acquired in the first training information acquisition step without using the second training information.

[Claim 7]

The communication method according to Claim 6, wherein

if the high-speed carrier is detected but the success in training is not detected, the receiving step receives the information in accordance with the first training information acquired in the first training information acquisition step.

[Claim 8]

A program capable of performing communication in accordance with the ITU-T recommendation V.17 and for causing a communication apparatus to perform processing comprising:

- a training information storing step of storing training information when long training information is received;

- a success in reception-of-short-training detection step of detecting success in receiving short training;

- a high-speed data detection step of detecting high-speed data;

- a training information setting step of setting the stored training information into a modem;

- a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the long training information is

received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and

a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 9]

A program for causing a communication apparatus to perform processing comprising:

a training execution step of performing long training and short training;

a first training information acquisition step of acquiring first training information on the basis of training performed in the execution step;

a second training information acquisition step of acquiring second training information on the basis of training performed in the execution step, after the acquisition of the first training information in the first training information acquisition step;

a receiving step of receiving information in accordance with the second training information acquired in the second training information acquisition step;

a success-in-training detection step of detecting

success in training;

a high-speed carrier detection step of detecting a high-speed carrier;

a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21; and

a step of causing the information to be received in the receiving step in accordance with the first training information acquired in the first training information acquisition step without using the second training information if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected.

[Claim 10]

The program according to Claim 9, wherein if the high-speed carrier is detected but the success in training is not detected, the receiving step receives the information in accordance with the first training information acquired in the first training information acquisition step.

いず、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて、上記受信段階で情報を受信することを特徴とする通信方法。

【請求項7】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項8】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項9】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項10】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

信する送信手順と；
CFR信号送信後、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記第2のトレーディング情報取得手順によつて取得された上記第1のトレーディング情報に基づいて、上記受信手順で情報を受信する手順と。

【請求項10】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項11】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項12】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項13】上記第1のトレーディング情報取得段階において、高速キャリアを検出し、トレーディング成功を検出していない場合は、上記受信段階は、上記第1のトレーディング情報取得段階によって取得された上記第1のトレーディング情報に基づいて情報を受信することを特徴とする通信方法。

Reference No. 4728018

Dispatch No. 409827

Dispatch Date: November 12, 2004

Notification of Reason for Refusal

Patent Application No.

2002-193330

Drafting Date

November 4, 2004

JPO Examiner

Hiroaki HORII

9245 5V00

Applicant

Shinich KAWAKUBO

Applied Provision

Patent Law Section 29(2)

This application is refused for the reason mentioned below. If the applicant has any argument against the reason, such argument should be submitted within 60 days from the date on which this notification was dispatched.

Reason

The inventions in the claims noted below of the subject application are unpatentable under Patent Law Section 29(2) since they could have been easily made by persons who have common knowledge in the technical field to which the inventions pertain, on the basis of the inventions described in the publications below which were distributed prior to the filing of the subject application or the inventions made available to the public through telecommunication lines prior to the filing of the subject application] in Japan or other countries.

Note (The list of cited documents etc. is provided below)

- Claims: 1 to 13
- Cited Documents: 1 and 2
- Remark

Cited documents 1 and 2 describe that a correction coefficient of an equalizer is stored and the stored correction coefficient is used for setting of the equalizer.

List of cited documents

1. Japanese Patent Laid-Open No. 6-38009
2. Japanese Patent Laid-Open No. 3-272267

Record of the results of prior art search

·Technical fields searched: IPC 7th Edition

·H04N1/00-1/00 108

·H04N1/32-1/36

·H04N1/42-1/44

·Prior art documents:

·Japanese Patent Laid-Open

No. 4-126456

·Japanese Patent Laid-Open

No. 62-11326

·Japanese Patent Laid-Open

No. 5-304599

This record is not part of the reason for refusal.

Any inquiry concerning this notification or request for interview concerning this application should be directed to:

Hiroaki HORII, Image Processing (Static Image), Fourth
Patent Examination Department

TEL: 03-3581-1101 (Ext. 3569)

FAX: 03-3501-0715.

整理番号:4728018 送番号:409827 送日:平成16年11月12日 1

拒絶理由通知書

特許出願の番号	特願2002-193330
起案日	平成16年11月 4日
特許庁審査官	堀井 啓明 9245 5V00
特許出願人代理人	川久保 新一 様
適用条文	第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

- ・請求項 1-13
- ・引用文献等 1, 2
- ・備考

引用文献1, 2には、等化器の補正係数を記憶しておき、これを等化器の設定に用いた点、が記載されている。

引 用 文 献 等 一 覧

- 1.特開平6-38009号公報
- 2.特開平3-272267号公報

先行技術文献調査結果の記録

- ・調査した分野 I P C第7版
 - ・H04N1/00-1/00 108
 - ・H04N1/32-1/36
 - ・H04N1/42-1/44
- ・先行技術文献
 - ・特開平4-126456号公報

整理番号:4728018 発送番号:409827 発送日:平成16年11月12日 2/E

- ・特開昭62-11326号公報
- ・特開平5-304599号公報

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審査第4部 画像処理(静止画) 堀井啓明

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[Name of Document] Amendment
[Date of Submission] January 11, 2005
[Addressee] Commissioner of the Patent Office
[Description of the Case]
[Application No.] Patent Application No. 2002-193330
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[Amendment 1]
[Name of Document to be Amended] Specification
[Name of Item to be Amended] Claims
[Manner of Amendment] Change
[Content of Amendment]
[Claims]
[Claim 1] A communication apparatus having a
capability of communication according to the ITU-T
recommendation V.17, comprising:
training information storage means for storing training

information when long training information is received;

success in reception-of-short-training detection means for detecting success in receiving short training;

high-speed data detection means for detecting high-speed data;

training information setting means for setting the stored training information into a modem;

reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the reception control changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the reception control changing means sets the training information, which was stored when the long training information is received, into the modem; and

transmission means for transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 2] The communication apparatus according to Claim 1, further comprising means for storing the training

information when a picture signal is received.

[Claim 3] The communication apparatus according to Claim 2, further comprising means for storing the training information when the picture signal is received and the short training is successfully received.

[Claim 4] A communication apparatus comprising:
training execution means for performing long training and short training;

first training information acquisition means for acquiring first training information on the basis of training performed by the execution means;

second training information acquisition means for acquiring second training information on the basis of training performed by the execution means, after the acquisition of the first training information by the first training information acquisition means;

receiving means for receiving information in accordance with the second training information acquired by the second training information acquisition means;

success-in-training detection means for detecting success in training;

high-speed carrier detection means for detecting a high-speed carrier; and

transmission means for transmitting a CFR signal according to the ITU-T recommendation V.21,

wherein if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected, the receiving means receives the information in accordance with the first training information acquired by the first training information acquisition means without using the second training information.

[Claim 5] A communication method capable of performing communication in accordance with the ITU-T recommendation V.17, comprising:

a training information storing step of storing training information when long training information is received;

a success in reception-of-short-training detection step of detecting success in receiving 'short training;

a high-speed data detection step of detecting high-speed data;

a training information setting step of setting the stored training information into a modem;

a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the long training information is

received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and

a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 6] A communication method comprising:

a training execution step of performing long training and short training;

a first training information acquisition step of acquiring first training information on the basis of training performed in the execution step;

a second training information acquisition step of acquiring second training information on the basis of training performed in the execution step, after the acquisition of the first training information in the first training information acquisition step;

a receiving step of receiving information in accordance with the second training information acquired in the second training information acquisition step;

a success-in-training detection step of detecting success in training;

a high-speed carrier detection step of detecting a

high-speed carrier; and

a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21,

wherein if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected, the information is received in the receiving step in accordance with the first training information acquired in the first training information acquisition step without using the second training information.

[Claim 7] The communication method according to Claim 6, wherein if the high-speed carrier is detected but the success in training is not detected, the receiving step receives the information in accordance with the first training information acquired in the first training information acquisition step.

[Claim 8] A program capable of performing communication in accordance with the ITU-T recommendation V.17 and for causing a communication apparatus to perform processing comprising:

a training information storing step of storing training information when long training information is received;

a success in reception-of-short-training detection step of detecting success in receiving short training;

a high-speed data detection step of detecting high-

speed data;

a training information setting step of setting the stored training information into a modem;

a reception control changing step of changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the training information, which was stored when the long training information is received, is not set into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the training information, which was stored when the long training information is received, is set into the modem; and

a transmitting step of transmitting the CFR signal according to the ITU-T recommendation V.21.

[Claim 9] A program for causing a communication apparatus to perform processing comprising:

a training execution step of performing long training and short training;

a first training information acquisition step of acquiring first training information on the basis of training performed in the execution step;

a second training information acquisition step of acquiring second training information on the basis of training performed in the execution step, after the acquisition of the first training information in the first training information acquisition step;

a receiving step of receiving information in accordance with the second training information acquired in the second training information acquisition step;

a success-in-training detection step of detecting success in training;

a high-speed carrier detection step of detecting a high-speed carrier;

a transmitting step of transmitting a CFR signal according to the ITU-T recommendation V.21; and

a step of causing the information to be received in the receiving step in accordance with the first training information acquired in the first training information acquisition step without using the second training information if, after the CFR signal is transmitted, the high-speed carrier is detected but the success in training is not detected.

[Claim 10] The program according to Claim 9, wherein if the high-speed carrier is detected but the success in training is not detected, the receiving step receives the information in accordance with the first training

information acquired in the first training information acquisition step.

[Amendment 2]

[Name of Document to be Amended] Specification

[Name of Item to be Amended] 0006

[Manner of Amendment] Change

[Content of Amendment]

[0006]

[Means for Solving the Problems]

According to the present invention, a communication apparatus having a capability of communication according to the ITU-T recommendation V.17 includes training information storage means for storing training information when long training information is received; success in reception-of-short-training detection means for detecting success in receiving short training; high-speed data detection means for detecting high-speed data; training information setting means for setting the stored training information into a modem; reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the reception control

changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the reception control changing means sets the training information, which was stored when the long training information is received, into the modem; and
transmission means for transmitting the CFR signal according to the ITU-T recommendation V.21.

[Amendment 3]

[Name of Document to be Amended] Specification

[Name of Item to be Amended] 0074

[Manner of Amendment] Change

[Content of Amendment]

[0074]

[Advantages]

Advantageously, according to the present invention, even when an echo of a CFR signal is received, a subsequent picture can be received.

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【書類名】 手続補正書
【提出日】 平成17年 1月11日
【あて先】 特許庁長官殿
【事件の表示】
【出願番号】 特願2002-193330
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【発送番号】 409827
【手続補正1】
【補正対象書類名】 明細書
【補正対象項目名】 特許請求の範囲
【補正方法】 変更
【補正の内容】
【特許請求の範囲】
【請求項1】 ITU-T勧告V. 17に基づく通信を実行可能な通信装置に
おいて、
ロングトレーニング情報を受信したときにおけるトレーニング情報を記憶するトレー
ニング情報記憶手段と；
ショートトレーニングの受信に成功したことを検出するショートトレーニング受信成功
検出手段と；
高速データを検出する高速データ検出手段と；
上記記憶したトレーニング情報をモデムに設定するトレーニング情報設定手段と；
ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する
受信制御変更手段であって、CFR信号送信に続いて、上記高速データを検出し、さらに
、ショートトレーニング受信成功が検出されると、上記ロングトレーニング情報を受信し
たときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて
、上記高速データを検出したが、ショートトレーニング受信成功が検出されないと、上記
ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する
受信制御変更手段と；
ITU-T勧告V. 21のCFR信号を送信する送信手段と；
を有することを特徴とする通信装置。
【請求項2】 請求項1において、
画像信号を受信したときに、トレーニング情報を記憶する手段を有することを特徴とす
る通信装置。
【請求項3】 請求項2において、
画像信号を受信したときであって、上記ショートトレーニングの受信に成功したとき
に、上記トレーニング情報を記憶する手段を有することを特徴とする通信装置。
【請求項4】 ロングトレーニング、ショートトレーニングを実行するトレー
ニング実行手段と；
上記実行手段で実行されたトレーニングに基づき、第1のトレーニング情報を取得する
第1のトレーニング情報取得手段と；
上記第1のトレーニング情報取得手段によって取得された第1のトレーニング情報の後
に、上記実行手段で実行されたトレーニングに基づき、第2のトレーニング情報を取得す
る第2のトレーニング情報取得手段と；

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上記第2のトレーニング情報取得手段によって取得された上記第2のトレーニング情報に基づいて情報を受信する受信手段と;

トレーニングが成功したことを検出するトレーニング成功検出手段と;

高速キャリアを検出する高速キャリア検出手段と;

ITU-T勧告V. 21のCFR信号を送信する送信手段と;

を有し、CFR信号送信後、高速キャリアを検出し、トレーニング成功を検出していない場合は、上記第2のトレーニング情報を用いずに、上記第1のトレーニング情報取得手段によって取得された上記第1のトレーニング情報に基づいて、上記受信手段で情報を受信することを特徴とする通信装置。

【請求項5】 ITU-T勧告V. 17に基づく通信を実行可能な通信方法において、

ロングトレーニング情報を受信したときにおけるトレーニング情報を記憶するトレーニング情報記憶段階と;

ショートトレーニングの受信に成功したことを検出するショートトレーニング受信成功検出段階と;

高速データを検出する高速データ検出段階と;

上記記憶したトレーニング情報をモデムに設定するトレーニング情報設定段階と;

ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する受信制御変更段階であって、CFR信号送信に続いて、上記高速データを検出し、さらに、ショートトレーニング受信成功が検出されると、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて上記高速データを検出したが、ショートトレーニング受信成功が検出されない、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する受信制御変更段階と;

ITU-T勧告V. 21のCFR信号を送信する送信段階と;

を有することを特徴とする通信方法。

【請求項6】 ロングトレーニング、ショートトレーニングを実行するトレーニング実行段階と;

上記実行段階で実行されたトレーニングに基づき、第1のトレーニング情報を取得する第1のトレーニング情報取得段階と;

上記第1のトレーニング情報取得段階によって取得された第1のトレーニング情報の後に、上記実行段階で実行されたトレーニングに基づき、第2のトレーニング情報を取得する第2のトレーニング情報取得段階と;

上記第2のトレーニング情報取得段階によって取得された上記第2のトレーニング情報に基づいて情報を受信する受信段階と;

トレーニングが成功したことを検出するトレーニング成功検出段階と;

高速キャリアを検出する高速キャリア検出段階と;

ITU-T勧告V. 21のCFR信号を送信する送信段階と;

を有し、CFR信号送信後、高速キャリアを検出し、トレーニング成功を検出していない場合は、上記第2のトレーニング情報を用いずに、上記第1のトレーニング情報取得段階によって取得された上記第1のトレーニング情報に基づいて、上記受信段階で情報を受信することを特徴とする通信方法。

【請求項7】 請求項6において、

高速キャリアを検出し、トレーニング成功を検出していない場合は、上記受信段階は、上記第1のトレーニング情報取得段階によって取得された上記第1のトレーニング情報に基づいて情報を受信することを特徴とする通信方法。

【請求項8】 ITU-T勧告V. 17に基づく通信を実行可能なプログラムにおいて、

ロングトレーニング情報を受信したときにおけるトレーニング情報を記憶するトレーニング情報記憶手順と;

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ショートトレーニングの受信に成功したことを検出するショートトレーニング受信成功検出手順と;

高速データを検出する高速データ検出手順と;

上記記憶したトレーニング情報をモデムに設定するトレーニング情報設定手順と;

ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する受信制御変更手順であって、CFR信号送信に続いて、上記高速データを検出し、さらに、ショートトレーニング受信成功が検出されると、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて、上記高速データを検出したが、ショートトレーニング受信成功が検出されないと、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する受信制御変更手順と;

ITU-T勧告V. 21のCFR信号を送信する送信手順と;

を通信装置に実行させるプログラム。

【請求項9】 ロングトレーニング、ショートトレーニングを実行するトレーニング実行手順と;

上記実行手順で実行されたトレーニングに基づき、第1のトレーニング情報を取得する第1のトレーニング情報取得手順と;

上記第1のトレーニング情報取得手順によって取得された第1のトレーニング情報の後に、上記実行手順で実行されたトレーニングに基づき、第2のトレーニング情報を取得する第2のトレーニング情報取得手順と;

上記第2のトレーニング情報取得手順によって取得された上記第2のトレーニング情報に基づいて情報を受信する受信手順と;

トレーニングが成功したことを検出するトレーニング成功検出手順と;

高速キャリアを検出する高速キャリア検出手順と;

ITU-T勧告V. 21のCFR信号を送信する送信手順と;

CFR信号送信後、高速キャリアを検出し、トレーニング成功を検出していない場合は、上記第2のトレーニング情報を用いず、上記第1のトレーニング情報取得手順によって取得された上記第1のトレーニング情報に基づいて、上記受信手順で情報を受信する手順と;

を通信装置に実行させるプログラム。

【請求項10】 請求項9において、

高速キャリアを検出し、トレーニング成功を検出していない場合は、上記受信手順は、上記第1のトレーニング情報取得手順によって取得された上記第1のトレーニング情報に基づいて情報を受信することを特徴とするプログラム。

【手続補正2】

【補正対象書類名】 明細書

【補正対象項目名】 0006

【補正方法】 変更

【補正の内容】

【0006】

【課題を解決するための手段】

本発明は、ITU-T勧告V. 17に基づく通信を実行可能な通信装置において、ロングトレーニング情報を受信したときにおけるトレーニング情報を記憶するトレーニング情報記憶手段と、ショートトレーニングの受信に成功したことを検出するショートトレーニング受信成功検出手段と、高速データを検出する高速データ検出手段と、上記記憶したトレーニング情報をモデムに設定するトレーニング情報設定手段と、ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する受信制御変更手段であって、CFR信号送信に続いて、上記高速データを検出し、さらに、ショートトレーニング

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受信成功が検出されると、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて、上記高速データを検出したが、ショートトレーニング受信成功が検出されない、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する受信制御変更手段と、ITU-T勧告V. 21のCFR信号を送信する送信手段とを有することを特徴とする通信装置である。

【手続補正3】

【補正対象書類名】 明細書

【補正対象項目名】 0074

【補正方法】 変更

【補正の内容】

【0074】

【発明の効果】

本発明によれば、CFRのエコーを受信しても、その後の画像の受信が可能になるという効果を奏する。

[Name of Document] Argument
[Date of Submission] January 11, 2005
[Addressee] JPO Examiner, Hiroaki HORII
[Description of the Case]
 [Application No.] Patent Application No. 2002-193330
[Applicant]
 [Id. No.] 000001007
 [Name] CANON KABUSHIKI KAISHA
[Agent]
 [Id. No.] 100087446
 [Patent Attorney]
 [Name] Shinich KAWAKUBO
[Dispatch Number] 409827
[Content of Argument]

(1) We have received a notification of reason for refusal,
which describes that the inventions in the claims noted
below of the subject application are unpatentable under
Patent Law Section 29(2) since they could have been easily
made from the inventions described in Japanese Patent Laid-
Open No. 6-38009 (hereinafter, referred to as "cited
document 1") and Japanese Patent Laid-Open No. 3-272267
(hereinafter, referred to as "cited document 2"). The
details given below are described in the notification of
reason for refusal.

Note

· Claims 1 to 13 (Cited Documents 1 and 2)

Cited documents 1 and 2 describe that a correction coefficient of an equalizer is stored and the stored correction coefficient is used for setting of the equalizer.

(2) However, the applicant of the subject application cannot accept the notification of reason for refusal, and therefore, has the following argument.

The scope of the claims is amended in the amendment submitted at the same date as the submission of this argument. Please refer to the amendment.

The summary of the inventions of the subject application is as described in the scope of the claims. A main feature of the invention in Claim 1 of this application is that "reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the reception control changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the

reception control changing means sets the training information, which was stored when the long training information is received, into the modem" is provided.

With this configuration, the invention in Claim 1 of the subject application achieves a remarkable advantage, "even when an echo of a CFR signal is received, a subsequent picture can be received".

(3) Grounds for Amendment

The "reception control changing means" in Claim 1, the "reception control changing step" in Claim 5, and the "reception control changing step" in Claim 8 correspond to description of Claims 2 and 3 in the original scope of claims at the time of filing of the subject application.

(4) That is, the invention in Claim 1 of the subject application relates to a communication apparatus that operates in accordance with the ITU-T recommendation V.17 procedure in which after long training is received, a CFR signal is transmitted, and a short training signal and a picture signal are received.

In addition, the object of the invention in Claim 1 of the subject application is to prevent a modem from being set by an echo that is not caused by a training signal since an echo of CFR, which overlaps the timing of reception of short

training, is regarded as short training and to prevent unsuccessful reception of a subsequent picture signal.

According to the invention in Claim 1 of the subject application, in order to achieve the above-mentioned object, if a short training signal is not successfully received after CFR is transmitted, a value acquired by a long training signal is set into a modem.

With this configuration, according to the invention in Claim 1 of the subject application, even when an echo of CFR is received, a subsequent picture can be received.

(5) Cited documents 1 and 2 describe inventions in which a training signal reception parameter that normally operates is stored and the stored parameter is set into a modem so that normal communication can be continued when a disorder occurs in the parameter.

However, the invention described in cited document 1 copes with a disorder caused by impulse noise, and the invention described in cited document 2 copes with a disorder caused by retransmission of a low-speed signal performed by a transmitter.

Thus, none of the inventions described in cited documents 1 and 2 recognizes a disorder caused by an echo of CFR, which is the problem of the invention in Claim 1 of the subject application.

In addition, none of cited document 1 and 2 describes the feature of the invention in Claim 1 of the subject application, "reception control changing means for changing reception control in response to detection of the success in receiving the short training and detection of the high-speed data, wherein if, after a CFR signal is transmitted, the high-speed data is detected and the success in receiving the short training is also detected, the reception control changing means does not set the training information, which was stored when the long training information is received, into the modem, and wherein if, after the CFR signal is transmitted, the high-speed data is detected but the success in receiving the short training is not detected, the reception control changing means sets the training information, which was stored when the long training information is received, into the modem".

Thus, any combination of the inventions described in cited documents 1 and 2 cannot achieve the remarkable advantage of the invention in Claim 1 of the subject application, "even when an echo of a CFR signal is received, a subsequent picture can be received".

In addition, none of cited documents 1 and 2 includes a description suggesting the "reception control changing means", which is the feature of the invention in Claim 1 of the subject application.

As described above, none of the inventions described in cited documents 1 and 2 recognizes the object achieved by the invention in Claim 1 of the subject application. In addition, none of cited documents 1 and 2 includes a description of the "reception control changing means", which is the feature of the invention in Claim 1 of the subject application, and a description suggesting the "reception control changing means". We therefore deem that the invention in Claim 1 of the subject application could not have been easily made on the basis of the invention described in cited document 1 or 2.

(6) A feature of the invention in Claim 4 of the subject application is similar to the feature of the invention in Claim 1 of the subject application. We therefore deem that the invention in Claim 4 of the subject application could not have been easily made on the basis of the invention described in cited document 1 or 2.

(7) The inventions in Claims 5 and 6 of the subject application are inventions relating to methods corresponding to the inventions in Claims 1 and 4 of the subject application, which are inventions relating to apparatuses. We therefore deem that the inventions of Claims 5 and 6 could not have been easily made on the basis of the

invention described in cited document 1 or 2.

The inventions in Claims 8 and 9 are inventions relating to programs corresponding to the inventions in Claims 1 and 4 of the subject application, which are inventions relating to apparatuses. We therefore deem that the inventions in Claims 8 and 9 could not have been easily made on the basis of the invention described in cited document 1 or 2.

(8) Consequently, the inventions of the subject application could not have been easily made on the basis of the invention described in cited document 1 or 2. We therefore believe that the reason for refusal is not valid for the inventions of the subject application and that the inventions of the subject application should be granted a patent.

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【書類名】 意見書
【提出日】 平成17年 1月11日
【あて先】 特許庁審査官 堀井 啓明 殿
【事件の表示】
【出願番号】 特願2002-193330
【特許出願人】
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【発送番号】 409827
【意見の内容】

(1) 本願の下記の請求項に係る発明は、
特開平6-38009号公報(以下「引用文献1」という)、
特開平3-272267号公報(以下「引用文献2」という)、
に記載されている発明に基づいて容易に発明することができたので特許法第29条第2項の規定によって、特許を受けることができない旨が記載されている拒絶理由通知書を受け取りました。なお、上記拒絶理由通知書には、下記の内容が記載されています。

記

・請求項1-13(引用文献1, 2)
引用文献1, 2には、等化器の補正係数を記憶しておき、これを等化器の設定に用いた点、が記載されている。

(2) しかし、本件出願人は、その拒絶理由通知に承服できませんので、以下、出願人の意見を詳述します。

なお、この意見書と同日付で、手続補正書を提出し、この手続補正書において特許請求の範囲の欄を補正しましたので、ご参照下さい。

本願発明の要旨は、特許請求の範囲に記載のとおりであり、本願の請求項1記載の発明の主な特徴は、「ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する受信制御変更手段であって、CFR信号送信に続いて、上記高速データを検出し、さらに、ショートトレーニング受信成功が検出されると、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて、上記高速データを検出したが、ショートトレーニング受信成功が検出されない、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する受信制御変更手段」を設けた点です。

この構成によって、本願の請求項1記載の発明は、「CFRのエコーを受信しても、その後の画像の受信が可能になる」という顕著な効果を奏します。

(3) 補正の根拠

請求項1における「受信制御変更手段」、請求項5における「受信制御変更段階」、請求項8における「受信制御変更手順」、は、本願の出願当初の特許請求の範囲における請求項2、3の記載に対応しています。

(4) つまり、本願の請求項1記載の発明は、ロングトレーニング受信後にCFR信号を送信し、ショートトレーニング信号と画像信号を受信するITU-T勧告のV.17手順に従って動作する通信装置に関するものです。

また、本願の請求項1記載の発明の課題は、CFRのエコーが発生した場合、そのエコーがショートトレーニング受信のタイミングと重なるので、エコーをショートトレーニング

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グとして扱い、このために、トレーニング信号ではないエコーによってモデムの設定が行われ、その後の画像信号を受信できなくなることを防止することです。

そして、本願の請求項1記載の発明は、上記課題を解決するために、CFR送信後、ショートトレーニング信号の受信が成功しなければ、ロングトレーニング信号で得られた値を、モデムに設定します。

このように構成することによって、本願の請求項1記載の発明は、CFRのエコーを受信しても、その後の画像の受信が可能になります。

(5) 引用文献1および引用文献2には、正常に動作するトレーニング信号受信パラメータを記憶し、パラメータが狂ったときに、先に記憶したパラメータをモデムに設定し、通信が正常に続行できるようにした発明が記載されています。

しかし、引用文献1記載の発明は、インパルス性のノイズによる障害に対処するものであり、引用文献2記載の発明は、低速信号の再送信が相手側から行われることによる障害に対処するものです。

したがって、引用文献1、2記載の発明では、本願の請求項1記載の発明の課題であるCFRのエコーによる障害を、全く認識していません。

また、引用文献1、2には、本願の請求項1記載の発明の特徴である「ショートトレーニング受信成功の検出、高速データの検出に従い、受信制御を変更する受信制御変更手段」であって、CFR信号送信に続いて、上記高速データを検出し、さらに、ショートトレーニング受信成功が検出されると、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定せず、一方、CFR信号送信に続いて、上記高速データを検出したが、ショートトレーニング受信成功が検出されないと、上記ロングトレーニング情報を受信したときに記憶したトレーニング情報をモデムに設定する受信制御変更手段」が、全く記載されていません。

よって、引用文献1、2記載の発明をどのように組み合わせたととしても、本願の請求項1記載の発明の顕著な効果である「CFRのエコーを受信しても、その後の画像の受信が可能になる」という効果を奏することはできません。

また、本願の請求項1記載の発明の特徴である上記「受信制御変更手段」を示唆する記載すら、引用文献1、2には、全く存在していません。

上記のように、引用文献1、2記載の発明は、本願の請求項1記載の発明が解決しようとする課題を認識しておらず、また、本願の請求項1記載の発明の特徴である上記「受信制御変更手段」の記載および示唆する記載が、引用文献1、2には、全く存在していませんので、引用文献1、2記載の発明に基づいて、本願の請求項1記載の発明を容易に発明できたものであるとは言えないものと思料します。

(6) 本願の請求項4記載の発明は、本願の請求項1記載の発明と同様の特徴があり、したがって、引用文献1、2記載の発明に基づいて、本願の請求項4記載の発明を容易に発明できたものであるとは言えないものと思料します。

(7) 本願の請求項5、6記載の発明は、装置発明である本願の請求項1、4記載の発明に対応する方法の発明であり、よって、引用文献1、2記載の発明に基づいて容易に発明することができたとは言えないものと思料します。

本願の請求項8、9記載の発明は、装置発明である本願の請求項1、4記載の発明に対応するプログラムの発明であり、よって、引用文献1、2記載の発明に基づいて容易に発明することができたとは言えないものと思料します。

(8) したがって、引用文献1、2に記載されている発明に基づいて、本願発明を容易に発明することができたものとは言えませんので、本願発明は拒絶理由には該当せず、特許査定されるべきものと確信致します。

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以上

Reference No. 4728018 Dispatch No. 043602
Dispatch Date: February 14, 2005

Decision to Grant a Patent

Patent Application No.	2002-193330
Drafting Date	February 2, 2005
JPO Examiner	Hiroaki HORII 9245 5V00
Title of the Invention	APPARATUS, METHOD AND PROGRAM
FOR COMMUNICATION	
Number of Claims	10
Applicant	CANON KABUSHIKI KAISHA
Agent	Shinich KAWAKUBO

This patent application is to be granted a patent,
since no reason for refusal has been found.

I certify that matters described above are identical with
those recorded on the file.

Date of certification: February 4, 2005

Administrative Official of Ministry of Economy, Trade and
Industry: Emiko HIRASE

Remark: It is necessary to pay the annual fee within 30 days
from the date of receipt of this document.

整理番号:4728018 発送番号:043602 発送日:平成17年 2月14日 1/E

特許査定

特許出願の番号	特願2002-193330
起案日	平成17年 2月 2日
特許庁審査官	堀井 啓明 9245 5V00
発明の名称	通信装置、通信方法およびプログラム
請求項の数	10
特許出願人	キヤノン株式会社
代理人	川久保 新一

この出願については、拒絶の理由を発見しないから、特許査定する。

上記はファイルに記録されている事項と相違ないことを認証する。

認証日 平成17年 2月 4日 経済産業事務官 平瀬 恵美子

注意：この書面を受け取った日から30日以内に特許料の納付が必要です。